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*Attorneys for Tecumseh–Infinity Medical
Receivable Fund, LP*

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEVADA**

In re:

INFINITY CAPITAL MANAGEMENT, INC.
dba INFINITY HEALTH CONNECTIONS,

Debtor.

Case No. 21-14486-abl
Chapter 7

HASELECT-MEDICAL RECEIVABLES
LITIGATION FINANCE FUND
INTERNATIONAL SP,

Plaintiff,

v.

TECUMSEH–INFINITY MEDICAL
RECEIVABLES FUND, LP,

Defendant.

Adversary Case No. 21-01167-abl

**FOURTH AMENDED NOTICE OF
RULE 30(b)(6) DEPOSITION OF
WITNESS FOR HASELECT-MEDICAL
RECEIVABLES LITIGATION
FINANCE FUND INTERNATIONAL,
SP**

HASELECT-MEDICAL RECEIVABLES
LITIGATION FINANCE FUND
INTERNATIONAL SP, et al.,

Counter-Claimant,

v.

TECUMSEH–INFINITY MEDICAL
RECEIVABLES FUND, LP, et. al.,

Counter-Defendants.

**FOURTH AMENDED NOTICE OF RULE 30(b)(6) DEPOSITION OF WITNESS FOR
HASELECT-MEDICAL RECEIVABLES LITIGATION
FINANCE FUND INTERNATIONAL, SP**

NOTICE IS HEREBY GIVEN that Defendant/Counterclaim Plaintiff/Counter Defendant Tecumseh–Infinity Medical Receivables Fund LP (“**Tecumseh**”), by and through their counsel of record, pursuant to Federal Rule of Civil Procedure Rule 30(b)(6) (made applicable to this proceeding by Rules 7030 and 9014 of the Federal Rules of Bankruptcy Procedure) will take the deposition of the representative of HASElect-Medical Receivables Litigation Finance Fund International, SP (“**HASElect**”) regarding the topics enumerated below on **July 27, 2023, at 10:00 a.m. (Pacific)**, before a Notary Public, or before some other person authorized by law to administer oaths and will be recorded via video and/or stenographic means. The deposition will be conducted via zoom.

Oral examination will continue from day-to-day until completed, or at a later date mutually agreed upon by the parties until completed. Reorganized Debtor reserves the right to videotape the deposition.

Pursuant to Federal Rule of Civil Procedure Rule 30(b)(6), HASElect shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, as to each of the following matters:

TOPICS FOR TESTIMONY

1. Matters relating to the formation of HASElect-Medical Receivables Litigation Finance Fund International SP’s (“HASElect” or “You” or “Your”) business relationship with Infinity Capital management, Inc. (“Infinity”).

2. Matters relating to the administration of Your business relationship with Infinity.

3. Matters relating to the facts and circumstances of the termination of Your business relationship with Infinity.

4. Matters relating to your knowledge concerning the facts and circumstances of the formation of Tecumseh-Infinity Medical Receivables Fund LP (“Tecumseh”).

5. Matters relating to the termination of Your business relationship with Chad Meyer.

- 1 6. Matters relating to the termination of Your business relationship with Simon Clark.
- 2 7. Matters relating to the facts and circumstances of any and all loans You made to
- 3 Infinity.
- 4 8. Matters relating to all efforts by You to perfect any security interest in Infinity's
- 5 personal property.
- 6 9. Matters relating to the facts and circumstances concerning Your negotiation and
- 7 execution of the Second Amended & Restated Loan and Security Agreement and Promissory Note
- 8 with Infinity.
- 9 10. Matters relating to Infinity's use of any funds obtained from loans from You.
- 10 11. Matters relating to the facts and circumstances concerning Infinity's negotiation
- 11 and execution of a Sub-Advisory Agreement with Tecumseh, as identified in paragraph 24 of Your
- 12 Amended Complaint.
- 13 12. Matters relating to the factual basis for Your assertion of any interest in any medical
- 14 receivables owned or acquired by Tecumseh.
- 15 13. Matters relating to the factual basis for Your assertion of any interest in any medical
- 16 receivables owned or acquired by Infinity on behalf of Tecumseh.
- 17 14. Matters relating to the factual basis for Your assertion in paragraph 16 of Your
- 18 Amended Complaint 16 that "HASelect is informed and believes that Tecumseh subsequently
- 19 colluded with Infinity to conceal the sale and assignment of the HAS Accounts from HASelect to
- 20 allow Infinity time to collect proceeds from the HAS Accounts and to transfer such proceeds to
- 21 Tecumseh. Specifically, Tecumseh requested on various occasions that Infinity conceal
- 22 information from HASelect concerning the HAS Accounts and other Collateral, and Infinity
- 23 complied with such requests."
- 24 15. Matters relating to the factual basis for Your assertion in paragraph 60 of the
- 25 Amended Complaint that "HASelect is entitled to a declaration that (i) it holds a perfected security
- 26 interest in the HAS Accounts and the Disputed Accounts pursuant to the MLA, (ii) any interest
- 27 Tecumseh claims in any of the HAS Accounts or the Disputed Accounts is subordinate and subject
- 28 to HASelect's prior, perfected security interest in the same, (iii) any interest Tecumseh claims in

1 any of the HAS Accounts or the Disputed Accounts was unperfected as of the Petition Date, and
2 (iv) HASelect is entitled to immediate possession of the HAS Accounts and the Disputed Accounts
3 and all proceeds thereof.”

4 Dated this 5th day of July 2023.

5 GARMAN TURNER GORDON LLP

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7 By: /s/Jared Sechrist
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10 and

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19 *Attorneys for Tecumseh–Infinity Medical*
20 *Receivable Fund, LP*
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CERTIFICATE OF SERVICE

1. On July 5, 2023, I served the following document(s): **FOURTH AMENDED NOTICE OF RULE 30(b)(6) DEPOSITION OF WITNESS FOR HASELECT-MEDICAL RECEIVABLES LITIGATION FINANCE FUND INTERNATIONAL, SP**
2. I served the above-named document(s) by the following means to the persons as listed below:

☒ ECF System:

CLARISSE L. CRISOSTOMO on behalf of ROBERT E. ATKINSON
clarisse@nv-lawfirm.com; bknotices@nv-lawfirm.com

BART K. LARSEN on behalf of HASELECT-MEDICAL RECEIVABLES
LITIGATION FINANCE FUND INTERNATIONAL SP
blarsen@shea.law; kwyant@shea.law;

I declare under penalty of perjury that the foregoing is true and correct.

DATED this 5th day of July 2023.

/s/ Max Erwin
an employee of
GARMAN TURNER GORDON LLP